

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

DAVID S. JOHNSON,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 2:15-cv-00713-LPL
	)	District Judge Fischer
ALLEGHENY COUNTY COURT	)	Magistrate Judge Lenihan
OF COMMON PLEAS, and	)	
UNITED STATES DISTRICT	)	
COURT, WESTERN DISTRICT OF	)	ECF Nos. 3 & 13
PENNSYLVANIA,	)	
	)	
Defendants.	)	

**MEMORANDUM ORDER**

Plaintiff delivered his Complaint to the clerk of courts for the United States District Court for the Western District of Pennsylvania on June 2, 2015. The Complaint was filed on June 18, 2015, and referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.C and 72.D of the Local Rules of Court.

The Magistrate Judge's Report and Recommendation (ECF No. 13) filed on November 9, 2015, recommended that Plaintiff's Complaint (ECF No. 3) be dismissed with prejudice pursuant to 28 U.S.C. § 1915 (e)(2)(B)(iii). Service was made on the pro se Plaintiff. Plaintiff was informed that in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1)(B) and (C), and Local Rule of Court 72.D.2, he had fourteen (14) days from the date of service to file objections to the Report and Recommendation. On November 25, 2015, Plaintiff filed Objections. (ECF No. [14]).

After review of the pleadings, documents in the case, and the Objections, together with the Report and Recommendation, the following Order is entered:

**AND NOW**, this 30th day of November, 2015,

**IT IS HEREBY ORDERED** that Plaintiff's Complaint (ECF No. [3]) is dismissed with prejudice pursuant to 28 U.S.C. § 1915 (e)(2)(B)(iii).

**IT IS FURTHER ORDERED** that the Report and Recommendation (ECF No. [13]) of Magistrate Judge Lenihan, dated November 9, 2015, is adopted as the Opinion of the Court.

**IT IS FURTHER ORDERED** that Plaintiff's Objections (ECF No. [14]) are OVERRULED as his arguments were addressed via the Report and Recommendation (ECF No. [13]) in this case, the prior case filed by Plaintiff at *Johnson v. Allegheny County*, 2:14-cv-00857, ECF No. 9, (W.D. Pa. Oct. 31, 2014), which was brought against the individuals allegedly responsible for such acts and was similarly dismissed with prejudice, with no appeal being filed, and/or are otherwise without merit.

**FINALLY, IT IS ORDERED** that the Clerk of Court shall mark this case CLOSED.

BY THE COURT

s/Nora Barry Fischer  
NORA BARRY FISCHER  
United States District Judge

cc: David S. Johnson  
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*Via First Class U.S. Mail*